

REMARKS/ARGUMENTS

In response to the Office Action mailed from the United States Patent and Trademark Office on July 2, 2010, Applicant responds to the issues raised in the Office Action in the order presented in the Office Action. Claims 2, 4, and 48 are cancelled. Claims 1, 3, 5-47 and 49-58 are pending. Claims 11-46 and 53-58 have been withdrawn from consideration. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter; claims 1 and 47 are objected to because of informalities; Claims 1, 3, 5-10, 47 and 49-52 were rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement; Claims 1, 3, 5-7, 9, 10, 47, 50 and 51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al (US 2,403,608) in view of Richards (US 4,335,733), Jandrasi et al. (US 4,531,539) and Bryant (US 2,950,897); Claims 1, 3, 5-8, 47 and 49-52 were rejected under 35 U.S.C. 103(a) as being unpatentable over Payne in view of Fortune (US 3,367,625) and Jandrasi; and Claims 9 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Payne in view of Fortune and Jandrasi et al., as applied to Claim 1 above, and further in view of Richards (US 4,335,733). Accordingly, Applicant provides the following:

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. In particular, the pending Action indicates that the specification is void of disclosure related to “a plate located inside one of said upper bonnet and said lower bonnet, wherein the plate comprises a planar surface structured to contact the surface of the blind,” as recited in claim 1 and claim 47. Applicant respectfully notes that the specification as originally filed supports a planar surface structured to contact the surface of the blind located within one of an upper bonnet and lower bonnet. A non-limiting example of a planar surface structure to contact the surface of the blind located within a bonnet is depicted in Figure 11, which illustrates a blind in a partially open position. The nose of the blind extends beyond the coke drum orifice and is in contact with a seat system. The seat system comprises a planar surface that extends into the bonnet. The plate inside the bonnet comprises a planar surface structured to contact the surface of the blind. Accordingly, Applicant respectfully submits that the specification as originally filed contained disclosure related to a plate located inside a bonnet, wherein the plate

comprises a planar surface structured to contact the surface of the blind. Accordingly, Applicant respectfully requests that the rejection to the specification be withdrawn at this time.

Claim Objections

Claims 1 and 47 are objected to because of the following informalities. In particular the pending Action indicates that the language “the blind” in Claim 1 should be changed to “the valve closure.” Applicant has amended Claim 1 to recite “the valve closure” instead of “the blind.” Accordingly, Applicant respectfully requests that the objection to claim 1 be withdrawn at this time. Similarly claim 47 has been amended from “the blind” to “a valve closure.” Accordingly, Applicant respectfully requests that the objection to claim 47 be withdrawn at this time.

Rejections under 35 USC § 112:

Claims 1, 3, 5-10, 47, 49-52 stand rejected under 35 U.S.C. first paragraph as filing to comply with the written description requirement. The pending Action indicates that the claims contain subject matter which was not described in the specification in such a way to reasonably convey to one skill in the relevant art that the inventors, at the time that the application was filed, had possession of the claimed invention. In particular, the pending Action indicates that Claims 1 and 47 recite the feature, “a plate located inside one of said upper bonnet and said lower bonnet, wherein the plate comprises a planar surface structured to contact the surface of the blind,” and that this feature does not appear to be supported in the originally filed disclosure. As noted above, Figure 11 depicts two parallel plates, which sandwich the valve closure on the left side of the Figure. Figure 11 depicts bonnets bolted to the main body of the valve. The plates which sandwich the distal end of the valve closure in figure 11 extend from the seat systems, of the main body of the valve through the coupling of the main body and the bonnets and into the upper and lower chambers interior to the bonnet itself. Accordingly, Applicant respectfully requests that the Section 112, first paragraph, rejection be withdrawn at this time.

Rejections under 35 U.S.C. § 103(a):

Claims 1, 3, 5-7, 9, 10, 47, 50 and 51 stand rejected as being unpatentable over Payne in view of Richards, Jandrasi and Bryant; claims 1, 3, 5-8, 47 and 49-52 stand rejected as being unpatentable over Payne in view of Fortune and Jandrasi; and claims 9 and 10 stand rejected as being unpatentable over Payne in view of Fortune and Jandrasi in further view of Richards. Applicant respectfully submits that the references cited in the Office Action neither alone or in combination with each other do not teach their source suggest the claim limitation the present of the claim set provided herein. Likewise, the references fail to clearly and particularly suggest the alleged obvious combination alleged by the examiner. M.P.E.P. Section 2141.

The present Application as claimed in claim 1 is drawn to a coke drum de-header system comprising: a coke drum having at least one port therein, wherein said coke drum is structured to receive molten petroleum residuum; a de-header valve removably coupled to said port of said coke drum for regulating the throughput of said port and for allowing repeated de-heading and re-heading of the coke drum, said de-header valve comprising: a main body having an orifice dimensioned to align with said port of said coke drum when said de-header valve is coupled thereto; a valve closure operably supported by said main body, said valve closure capable of being actuated to oscillate between an open and a closed position with respect to said orifice and said port; a seat support system structured to support said valve closure, wherein said seat support system comprises at least one live loaded upper seat; an upper bonnet coupled to the main body; a lower bonnet coupled to the main body; a plate located inside one of said upper bonnet and said lower bonnet, wherein the plate comprises a planar surface structured to contact the surface of the valve closure; and a continuously maintained metal to metal contact seal between said valve closure and said at least one live loaded upper seat, wherein said live loaded upper seat is structured to move axially while said valve closure is actuated between the open and the closed position to accommodate surface variance on the valve closure, said contact seal shearing accumulated coke and effectively de-heading said coke drum upon actuation of said valve closure. Independent claim 47 contains limitations.

Applicant respectfully submits that the cited references either alone or in combination do not teach or suggest all the limitations claimed in the claim set provided herein and there is not a

satisfactory showing that one of ordinary skill in the art would take the art teachings to overcome the identified differences under *Graham* between the claimed invention and the teachings in the prior art. Accordingly, Applicant respectfully submits that the claimed art does not teach every aspect of the claims as provided herein and therefore does not render the claims obvious.

Each of Payne, Richards and Fortune are silent as to a coke drum deheading system comprising an upper bonnet coupled to a main body; a lower bonnet coupled to a main body; and a plate located inside one of said upper bonnet and said lower bonnet wherein the plate comprises a planar surface structured to contact a surface of the blind. Accordingly, Payne, Fortune and Richards taken alone or in combination fail to disclose a valve capable of operating at the bottom of the coke drum.

For this reason, the pending Action relies on the disclosure found in Jandrasi to teach this claim feature. In particular, the pending Action indicates that Jandrasi's guide 32 as illustrated in figures 1A and discussed in column 1, lines 57-63 reads on "a plate comprising a planar surface structured to contact the surface, the blind." However, Jandrasi discloses a notch and groove rail system for guiding one of the slides, not a planar surface to contact the surface of a blind. This relationship is illustrated clearly in Figure 4, where the notch and groove system guiding a slide is illustrated clearly. Because feature 32 disclosed by Jandrasi is not a large planar surface utilized to sandwich a valve closure, the disclosure in Jandrasi fails to teach or suggest "a plate comprising a planar surface structured to contact the surface other blind." For at least this reason, Applicant respectfully submits that the prior art references do not independently, or in combination, teach every aspect of the invention as claimed in the independent base claims.

In addition, the dependent claims place further limitations on otherwise allowable subject matter. Accordingly, Applicant respectfully submits the cited art does not teach every aspect to the claims as provided herein and therefore does not render the claims obvious as provided. Accordingly, Applicant respectfully requests that the Section 103 rejections be withdrawn at this time.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 2 day of November, 2010.

Respectfully submitted,

Michael F. Krieger
Attorney for Applicant
Registration No.: 35,232

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4814
Facsimile: (801) 321-4893

JRM/law